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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,730	06/27/2003	David M. Cumming	65961-0054	7694

44200 7590 01/28/2005

HONIGMAN MILLER SCHWARTZ AND COHN LLP  
32270 TELEGRAPH RD  
SUITE 225  
BINGHAM FARMS, MI 48025-2457

EXAMINER

PEDDER, DENNIS H

ART UNIT	PAPER NUMBER
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3612

DATE MAILED: 01/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10/608730

EXAMINER
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ART UNIT	PAPER
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1252005

DATE MAILED:

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Commissioner for Patents

Please see the detailed letter attached.

Dennis H. Pedder  
Primary Examiner  
Art Unit: 3612

1. The reply filed on 1/10/2005 is not fully responsive to the prior Office Action because of the omissions noted below. Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

The time continues to run from the date of the notice of non-compliant appeal brief. The omissions cannot be considered inadvertent as many were listed in the notice of non-compliant appeal brief, mailed to applicant on 12/20/2004. Should the next response fail to correct the deficiencies, the appeal will be dismissed in view of MPEP 1206.

The defects are noted to be:

- 1) Status of claims-claims 1-3, 6-7 are rejected under 35 USC 102(b) anticipated by Himsl et al..
- 2) Status of claims-claims 8-10 and 15 are also rejected under 35 USC 103 in view of Golze in view of Sturuss.
- 3) Grounds of rejection- section D-Carpenter and Himsl et al. are not listed;  
section G-Golze is not listed.
- 4) Argument-section B-claim 3 is missing from the listing in view of Carpenter;

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section D-Carpenter and Himsl et al. are missing from the listing of references and argument;

section E-Golze is missing from the listing and argument;

section G-Golze is missing from the listing and argument.

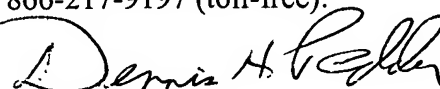
5) No substantive argument is presented as to why claim 5 is separately allowable.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis H. Pedder whose telephone number is (703) 308-2178.

The examiner can normally be reached on 5:30-2:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn D. Dayoan can be reached on (703) 308-3102. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Dennis H. Pedder  
Primary Examiner  
Art Unit 3612

1/25/05

DHP  
1/25/2005